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**PATENT**

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: M. Zung, et al.

SERIAL No.: 10/660,288

FILED: September 11, 2003

FOR: ARTICULATING SUTURING  
DEVICE AND METHOD

ATTORNEY DOCKET NO.: 6771.US.P4

Group Art No.: 3731

Examiner: J. Woo

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Date of Deposit: May 14, 2004

  
Matthew H. Mader Date

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed herewith for the patent application identified above are the following:

1. Information Disclosure Statement
2. Form PTO-1449 (9 pages, in duplicate)
3. Foreign and Non-Patent References Cited in Form PTO-1449 (25 References)
4. Return Receipt Postcard

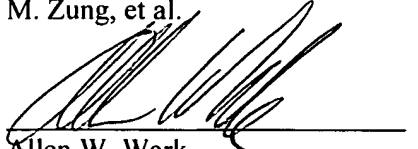
The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR §1.16, as well as any patent application processing fees under 37 CFR §1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025.

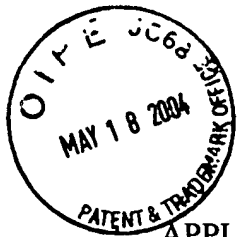
23492

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Please direct all telephone inquiries to:  
Kelly J. McCrystle, Reg. No. 46,257  
(650) 474-3326

Respectfully submitted,  
M. Zung, et al.

  
Allen W. Wark  
Registration No. 30,503  
Attorney for Applicants



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**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. Copies of the listed documents are attached.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

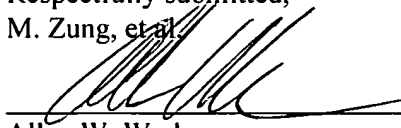
The Commissioner also is authorized to charge our Deposit Account any additional fees (or credit any over payments) that may be required under 37 C.F.R. §§ 1.16 and 1.17 in association with this communication for which full payment has not been tendered.

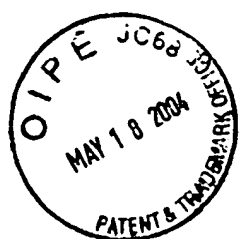
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Allen W. Wark  
Registration No. 30,503  
Attorney for Applicants



DATE: May 14, 2004 SHEET 1\_ of 9\_

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)  (37 CFR 1.98 (b))	ATTY. DOCKET NO. <b>6771.US.P4</b>	SERIAL NO. <b>10/660,288</b>
	APPLICANT(S) <b>M. Zung, et al</b>	
	FILING DATE <b>September 11, 2003</b>	GROUP <b>3731</b>

## U.S.PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	INVENTOR	CLASS	SUB CLASS	FILING DATE
	AA	312,408	02/1885	Wackerhagen			
	AB	659,422	10/1900	Shidler			
	AC	2,012,776	08/1935	Roeder			
	AD	2,127,903	08/1938	Bowen			
	AE	2,397,823	04/1946	Walter			
	AF	2,646,045	07/1953	Priestley			
	AG	2,959,172	11/1960	Held			
	AH	3,104,666	09/1963	Hale et al.			
	AI	3,470,875	10/1969	Johnson			
	AJ	3,653,388	04/1972	Tenckhoff			
	AK	3,665,926	05/1972	Flores			
	AL	3,776,237	12/1973	Hill et al.			
	AM	3,820,544	06/1974	Semm			
	AN	3,926,194	12/1975	Greenberg et al.			
	AO	3,939,820	02/1976	Grayzel			
	AP	3,985,138	10/1976	Jarvik			
	AQ	4,018,228	04/1977	Goosen			
	AR	4,109,658	08/1978	Hughes			
	AS	4,161,951	07/1979	Scanlan, Jr.			
	AT	4,168,073	09/1979	LaRue			
	AU	4,182,339	01/1980	Hardy, Jr.			
	AV	4,216,776	08/1980	Downie et al.			
	AW	4,235,177	11/1980	Arbuckle			
	AX	4,317,445	03/1982	Robinson			
	AY	4,411,654	10/1983	Boarini et al.			

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 6771.US.P4	SERIAL NO. 10/660,288
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT(S) M. Zung, et al	
(Use several sheets if necessary)	FILING DATE September 11, 2003	GROUP 3731
(37 CFR 1.98 (b))		

## U.S.PATENT DOCUMENTS (cont.)

AZ	4,412,832	11/1983	Kling et al.			
BA	4,437,465	03/1984	Nomoto et al.			
BB	4,493,323	01/1985	Albright et al.			
BC	4,553,543	11/1985	Amarasinghe			
BD	4,587,969	05/1986	Gillis			
BE	4,596,559	06/1986	Fleishhacker			
BF	4,629,450	12/1986	Suzuki et al.			
BG	4,651,733	03/1987	Mobin-Uddin			
BH	4,723,549	02/1988	Wholey et al.			
BI	4,738,666	04/1988	Fuqua			
BJ	4,744,364	05/1988	Kensey			
BK	4,803,984	02/1989	Narayanan et al.			
BL	4,836,205	06/1989	Barrett			
BM	4,852,568	08/1989	Kensey			
BN	4,890,612	01/1990	Kensey			
BO	4,898,155	02/1990	Ovil et al.			
BP	4,911,164	03/1990	Roth			
BQ	4,926,860	05/1990	Stice et al.			
BR	4,929,246	05/1990	Sinofsky			
BS	4,935,027	06/1990	Yoon			
BT	4,957,498	09/1990	Caspari et al.			
BU	4,983,168	01/1991	Moorehead			
BV	4,984,581	01/1991	Stice			
BW	5,002,563	03/1991	Pyka et al.			
BX	5,009,643	04/1991	Reich e al.			
BY	5,021,059	06/1991	Kensey et al.			
BZ	5,037,433	08/1991	Wilk et al.			
CA	5,047,039	09/1991	Avant et al.			

Form PTO - 1449 (Modified)

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> (Modified) <b>PATENT AND TRADEMARK OFFICE</b>	<b>ATTY. DOCKET NO.</b> <b>6771.US.P4</b>	<b>SERIAL NO.</b> <b>10/660,288</b>
<b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>	<b>APPLICANT(S)</b> <b>M. Zung, et al</b>	
(Use several sheets if necessary)	<b>FILING DATE</b> <b>September 11, 2003</b>	<b>GROUP</b> <b>3731</b>
(37 CFR 1.98 (b))		

U.S.PATENT DOCUMENTS (cont.)

	CB	5,059,201	10/1991	Asnis			
	CC	5,061,274	10/1991	Kensey			
	CD	5,078,721	01/1992	McKeating			
	CE	5,080,664	01/1992	Jain			
	CF	5,100,419	03/1992	Ehlers			
	CG	5,100,432	03/1992	Matsutani			
	CH	5,109,780	05/1992	Slouf et al.			
	CI	5,129,912	07/1992	Noda, et al.			
	CJ	5,129,913	07/1992	Ruppert			
	CK	5,147,373	09/1992	Ferzli			
	CL	5,160,339	11/1992	Chen et al.			
	CM	5,171,251	12/1992	Bregen et al.			
	CN	5,192,294	03/1993	Blake, III			
	CO	5,192,302	03/1993	Kensey et al.			
	CP	5,211,650	05/1993	Noda, et al.			
	CQ	5,219,358	06/1993	Bendel et al.			
	CR	5,222,974	06/1993	Kensey et al.			
	CS	5,234,443	08/1993	Phan et al.			
	CT	5,242,427	09/1993	Bilweis			
	CU	5,250,033	10/1993	Evans et al.			
	CV	5,250,053	10/1993	Snyder			
	CW	5,254,126	10/1993	Filipi et al.			
	CX	5,258,003	11/1993	Ciaglia et al.			
	CY	5,279,311	01/1994	Snyder			
	CZ	5,285,945	02/1994	Brinkerhoff et al.			
	DA	5,289,963	03/1994	McGarry et al.			
	DB	5,290,284	03/1994	Adair			

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 6771.US.P4	SERIAL NO. 10/660,288
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT(S) M. Zung, et al	
(Use several sheets if necessary)	FILING DATE September 11, 2003	GROUP 3731
(37 CFR 1.98 (b))		

## U.S.PATENT DOCUMENTS (cont.)

DC	5,290,297	03/1994	Phillips			
DD	5,292,309	03/1994	Van Tassel et al.			
DE	5,292,332	03/1994	Lee			
DF	5,293,881	03/1994	Green et al.			
DG	5,295,993	03/1994	Green			
DH	5,300,085	04/1994	Yock			
DI	5,304,184	04/1994	Hathaway et al.			
DJ	5,304,185	04/1994	Taylor			
DK	5,306,254	04/1994	Nash et al.			
DL	5,312,024	05/1994	Grant et al.			
DM	5,312,423	05/1994	Rosenbluth, et al.			
DN	5,318,578	06/1994	Hasson			
DO	5,320,629	06/1994	Noda, et al.			
DP	5,320,632	06/1994	Heidmueller			
DQ	5,336,229	08/1994	Noda			
DR	5,336,230	08/1994	Leichtling et al.			
DS	5,336,231	08/1994	Adair			
DT	5,342,369	08/1994	Harryman, II			
DU	5,354,312	10/1994	Brinkerhoff et al.			
DV	5,364,408	11/1994	Gordon			
DW	5,368,601	11/1994	Sauer et al.			
DX	5,374,275	12/1994	Bradley et al.			
DY	5,376,096	12/1994	Foster			
DZ	5,383,896	01/1995	Gershony et al.			
EA	5,387,221	02/1995	Bisgaard			
EB	5,387,227	02/1995	Grice			
EC	5,395,332	03/1995	Ressemann et al.			

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(37 CFR 1.98 (b))		

## U.S.PATENT DOCUMENTS (cont.)

ED	5,395,349	03/1995	Quiachon et al.			
EE	5,397,325	03/1995	Delia Badia et al.			
EF	5,403,329	04/1995	Hinchcliffe			
EG	5,403,338	04/1995	Milo			
EH	5,411,481	05/1995	Allen et al.			
EI	5,413,571	05/1995	Katsaros et al.			
EJ	5,417,699	05/1995	Klein et al.			
EK	5,425,705	06/1995	Evard et al.			
EL	5,431,666	07/1995	Sauer et al.			
EM	5,433,700	07/1995	Peters			
EN	5,452,733	09/1995	Sterman et al.			
EO	5,454,822	10/1995	Sch6b et al.			
EP	5,454,834	10/1995	Boebel et al.			
EQ	5,458,574	10/1995	Machold et al.			
ER	5,470,338	11/1995	Whitfield et al.			
ES	5,476,469	12/1995	Hathaway et al.			
ET	5,476,470	12/1995	Fitzgibbons, Jr.			
EU	5,478,309	12/1995	Sweezer et al.			
EV	5,478,353	12/1995	Yoon			
EW	D 372310	07/1996	Hamett			
EX	5,480,407	01/1996	Wan et al.			
EY	5,486,190	01/1996	Green			
EZ	5,489,295	02/1996	Piplani et al.			
FA	5,496,332	03/1996	Sierra et al.			
FB	5,507,744	04/1996	Tay et al.			
FC	5,507,755	04/1996	Gresl et al.			
FD	5,507,757	04/1996	Sauer et al.			

## Form PTO - 1449 (Modified)

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(Use several sheets if necessary)	FILING DATE September 11, 2003	GROUP 3731
(37 CFR 1.98 (b))		

## U.S.PATENT DOCUMENTS (cont.)

FE	5,507,758	04/1996	Thomason et al.			
FF	5,509,902	04/1996	Raulerson			
FG	5,520,665	05/1996	Fleetwood			
FH	5,520,702	05/1996	Sauer et al.			
FI	5,527,321	06/1996	Hinchliffe			
FJ	5,527,322	06/1996	Klein et al.			
FK	5,531,700	07/1996	Moore et al.			
FL	5,536,273	07/1996	Lehrer			
FM	5,540,701	07/1996	Sharkey et al.			
FN	5,540,704	07/1996	Gordon et al.			
FO	5,545,171	08/1996	Sharkey et al.			
FP	5,545,178	08/1996	Kensey et al.			
FQ	5,545,180	08/1996	Le et al.			
FR	5,549,618	08/1996	Fleenor et al.			
FS	5,554,162	09/1996	DeLange			
FT	5,562,686	10/1996	Sauer et al.			
FU	5,562,688	10/1996	Riza			
FV	5,562,728	10/1996	Lazarus et al.			
FW	5,569,271	10/1996	Hoel			
FX	5,573,540	11/1996	Yoon			
FY	5,591,177	01/1997	Lehrer			
FZ	5,591,179	01/1997	Edelstein			
GA	5,591,206	01/1997	Moufarr6ge			
GB	5,593,421	01/1997	Bauer			
GC	5,603,718	02/1997	Xu			
GD	5,609,597	03/1997	Lehrer			



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(37 CFR 1.98 (b))		

## U.S.PATENT DOCUMENTS (cont.)

GE	5,611,794	03/1997	Sauer et al.			
GF	5,613,974	03/1997	Andreas et al.			
GG	5,613,975	03/1997	Christy			
GH	5,643,289	07/1997	Sauer et al.			
GI	5,662,664	09/1997	Gordon et al.			
GJ	5,669,917	09/1997	Sauer et al.			
GK	5,700,273	12/1997	Buelna et al.			
GL	5,707,379	01/1998	Fleenor et al.			
GM	5,713,910	02/1998	Gordon et al.			
GN	5,716,369	02/1998	Riza			
GO	5,720,757	02/1998	Hathaway et al.			
GP	5,741,276	04/1998	Poloyko et al.			
GQ	5,741,280	04/1998	Fleenor			
GR	5,759,188	06/1998	Yoon			
GS	5,766,183	06/1998	Sauer			
GT	5,766,186	06/1998	Faraz et al.			
GU	5,769,862	06/1998	Kammerer, et al.			
GV	5,779,719	07/1998	Klein et al.			
GW	5,792,151	08/1998	Heck et al.			
GX	5,799,661	09/1998	Boyd et al.			
GY	5,810,850	09/1998	Hathaway et al.			
GZ	5,817,113	10/1998	Gifford, III et al.			
HA	5,820,631	10/1998	Nobles			
HB	5,824,010	10/1998	McDonald			
HC	5,836,955	11/1998	Buelna et al.			
HD	5,836,956	11/1998	Buelna et al.			
HE	5,846,253	12/1998	Buelna et al.			
HF	5,860,990	01/1999	Nobles et al.			

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	<b>FILING DATE</b> <b>September 11, 2003</b>	<b>GROUP</b> <b>3731</b>

## U.S.PATENT DOCUMENTS (cont.)

	HG	5,860,991	01/1999	Klein et al.			
	HH	5,871,490	02/1999	Schulze, et al.			
	HI	5,897,564	04/1999	Schulze, et al.			
	HJ	5,902,311	05/1999	Andreas et al.			
	HK	5,904,697	05/1999	Gifford, III et al.			
	HL	5,951,590	09/1999	Goldfarb			
	HM	5,954,732	09/1999	Hart et al.			
	HN	6,036,699	03/2000	Andreas et al.			
	HO	6,048,351	04/2000	Gordon et al.			
	HP	6,117,144	09/2000	Nobles et al.			
	HQ	6,641,592	11/2003	Sauer et al.			

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC-ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
							YES	NO
	HR	JP 542161 A	02/1993	Japan			X	
	HS	SU 1093329	05/1984	Soviet Union			X	
	HT	SU 1174036	08/1985	Soviet Union			X	
	HU	SU 820810	06/1997	Soviet Union				X
	HV	SU 993922	02/1983	Soviet Union			X	
	HW	SU1544383	02/1990	Soviet Union			X	
	HX	SU1648400	05/1991	Soviet Union			X	
	HY	DE912619	05/1991	Germany				X
	HZ	DE4220283	06/1992	Germany				X
	IA	FR105954	03/1954	France				X

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(Use several sheets if necessary)	FILING DATE	GROUP
(37 CFR 1.98 (b))	September 11, 2003	3731

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION (Cont.)

		DOCUMENT NUMBER	PUBLIC-ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
							YES	NO
	IB	WO 94/05213	03/1994	PCT				
	IC	WO 94/27503	12/1994	PCT				
	ID	WO 94/28801	12/1994	PCT				
	IE	WO 95/35065	12/1995	PCT				
	IF	WO 95/05121	02/1995	PCT				
	IG	WO 97/03613	02/1997	PCT				
	IH	WO 97/10764	03/1997	PCT				
	II	WO 97/13461	05/1997	PCT				
	IJ	WO 97/17901	05/1997	PCT				
	IK	WO 97/20505	06/1997	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

IL	Elgin National Watch Company, Product Brochure entitled "Elgiloy®, A Cobalt Nickel Spring
IM	Faulkner, Catherine B., Letter regarding "VasoSeal Vascular Hemostasis," <i>Datascope</i> , New
IN	Laurus Medical Corporation, "Endoscopic Suturing Made Simple," The Laurus ND-2600 Needle
IO	Product Brochure, Laurus Medical Corporation, Irvine, CA "The Laurus In-Line Endoscopic Suturing Device"
	(Oct. 1994) 1 page.
IP	Rema-Medizintechnik GmbH, Product Brochure entitled "REMA," 7 pages.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO 1449)